

REMARKS

This is a full and timely response to the outstanding nonfinal Office Action mailed May 23, 2002. Reconsideration and allowance of the application and presently pending claims, as amended, are respectfully requested.

The Examiner's objections to the wording in places in the specification and claims set forth in paragraphs 1-6 of the Office Action have been corrected. New claims 28-32 have been added to the application. Claims 28 and 29 basically include the embodiments deleted from Claim 11.

Claims 24-26 have been rejected under 35 U.S.C. §102(b) as being anticipated by *Janssen et al.*, U.S. Patent No. 6,142,893. *Janssen* discloses an apparatus for removing the skin from slaughtered poultry using two rotating pairs of helically ribbed skin removal rollers 148 and 150 (FIG. 13b) for removing the skin under the wings of the front half of the carcass, and rotating a pair of helically ribbed rollers 152 (FIG. 13c) for removing the skin on the breast side of the front half of the carcass. As shown in FIGS. 13b and 13c of *Janssen*, it can clearly be seen that the rollers 148, 150 and 152 are arranged with their rotational axis parallel to the supply direction during skinning. In addition, these rollers 148, 150 and 152 are stationary with respect to the carcass.

Janssen neither teaches nor suggests a device for processing poultry carcasses or parts thereof having a skinner with skin gripping means as well as discharge means for ejecting the skin from the skin gripping means. *Janssen* only shows roller-shaped skin gripping rollers 148, 150, and 152 and not any discharge means for ejecting the skin from these rollers as required by claim 24.

Claim 25 is clearly not anticipated or obvious based upon *Janssen* because Claim 25 requires that the skin gripping means be perpendicular to the supply direction, while *Janssen* has skin removal rollers 148, 150 and 152 which are parallel to the supply direction of the carcasses. Col. 11, lines 11 to 20; FIGS. 13B and 13C.

Claim 26 has been amended by this Response to clearly indicate that the rollers are moved along the carcass. Skinner rollers 148, 150 and 152 are stationary with the carcass 8 being moved in *Janssen*. FIGS. 13B and 13C. *Janssen's* rollers are rotated but

are stationary and not moved along the conveyor. Consequently claims 24-26 are neither anticipated nor obvious on the basis of *Janssen*.

Claims 1-5, 7-11, 13, 17-21, 23 and 27 have been rejected under 35 U.S.C. §103(a) as being obvious over *Janssen*. *Janssen* discloses rotating rollers that are held in a stationary position. The carcass is moved past the rollers. Col. 11, lines 11-20. As illustrated in FIGS. 13B and 13C, *Janssen*'s rollers are parallel to the direction of supply. In contrast, Claim 1 of Applicants' invention requires that the skin gripping means move in respect to the carcass and that these means are perpendicular to the supply direction during skinning. *Janssen*'s rollers 148, 150 and 152 are stationary and are aligned with the direction of supply (FIGS. 13B and 13C). This is a clear improvement in the art of removing skin from poultry over *Janssen* as it allows for faster and more efficient processing during the skinning operation.

It should be pointed out that in respect to Claim 5, *Janssen* does not show means for moving the skin gripping means towards the carcass. It should be pointed out that Claim 11 has been amended by deleting the language concerning planar toothing that is staggered and that these limitations have been placed in claims 28 and 29 which are not shown in *Janssen*. Claim 17 has a limitation where the skinner is attached to a rail parallel to the supply direction which is not shown in *Janssen*.

Claims 19, 20 and 21 require that the skin be pulled substantially perpendicular to the carcass at the location where the skin becomes detached from the carcass. There is no hint or suggestion in *Janssen* to pull the skin substantially perpendicular to the carcass at the location where the skin becomes detached from the carcass. As pointed out above, *Janssen*'s skin removal rollers are parallel to the supply direction of the carcasses. Claims 19-21 are patentable over *Janssen* in that they require that the skin gripping means be moved along the carcass and the skin is pulled substantially perpendicular to the carcass which is not shown in *Janssen*. Claim 21 is patentable over *Janssen* as *Janssen* does not show means by which the skin is slid from the rollers. - Applicant does not claim

Claim 23 has been amended to provide that the rollers are oriented in a plane that is perpendicular to the plane of the carcass which is not shown in *Janssen*.

Claim 27 is patentable over *Janssen* in light of the fact that the skin gripping means are perpendicular to the supply direction during skinning as the rollers in *Janssen* are parallel to the supply direction.

Claim 6 and 22 have been rejected under 35 U.S.C. §103(a) as being unpatentable over *Janssen* as applied to Claim 1. Claim 6 and 22 are patentable for the same reasons for the same reasons that Claim 1 is patentable as pointed out above.

Janssen teaches processing installations that are mounted on arms perpendicular to the supply direction (as far as the holders 52, 56 can be considered arms). Arms 44 support cutting discs 42 and are stationary with respect to the travelling carcasses. Holders 52 and 56 carry scrapers 58, and are stationary with respect to the carcasses travelling according to the supply direction 142. *Janssen* neither teaches nor suggests supports, in particular arms, provided with skin gripping means that can be moved relatively with respect to the carcass travelling in supply direction. Please note that claim 22 has been amended to provide that the skinner is movable along the arm.

Claim 12 has been rejected under 35 U.S.C. §103(a) as unpatentable over *Janssen* in view of *Harben*. The arguments set forth above in respect to Claims 1, 7, 10 and 11 are equally applicable to Claim 12. *Harben* is not relevant prior art as he discloses removing oil glands from fowl. His apparatus has two rollers 40 and 50 (FIG. 3) with roller 50 being provided with ribs 60 insuring good frictional engagement with the sides of the tail adjacent to oil glands 95 (FIG. 4). The counter rotating rollers 40 and 50 feed the tail of the bird into the nip between the rollers 40 and 50 thereby moving the tail to the left as seen in FIG. 3 or to the right as seen in FIG. 4. Col. 3, lines 29-36. *Harben* is not concerned with the removal of skin from poultry. It should also be pointed out that *Harben* suggests using a roller having a section of ribs 60 in cooperation with the smooth roller 40. *Harben* therefore teaches the expert in the art away from the arrangement claimed in claim 12.

The Examiner has stated that claims 14-16 would be allowed if rewritten in independent form, which have been rewritten as Claims 30 and 31.

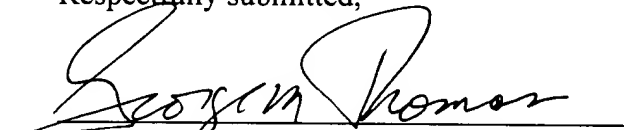
New Claims

Claims 28-32 have been newly added to further define and/or clarify the scope of the invention. Claim 15 has been amended so it is dependent upon claim 30.

CONCLUSION

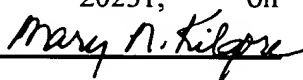
In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims 1-13, 15, 17-33 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,


George M. Thomas, Reg. No. 22,260

**THOMAS, KAYDEN,
HORSTEMEYER & RISLEY, L.L.P.**
Suite 1750
100 Galleria Parkway N.W.
Atlanta, Georgia 30339
(770) 933-9500

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ANNOTATED VERSION OF MODIFIED CLAIMS TO SHOW CHANGES MADE

The following is a marked up version of the amended claims. Amend the following claims by adding the language that is underlined ("___") and by deleting the language that is enclosed within brackets ("[]"):

1. (Once Amended) Device for processing poultry carcasses or parts thereof, comprising a conveyor having supports for retaining the carcasses or parts thereof, [which] said conveyor is provided with means for leading the supports in a supply direction past at least one processing installation, wherein the device [comprises] has a skinner for skinning the carcasses or parts thereof, [which] said skinner is provided with skin gripping means for gripping the skin and means for moving the skin gripping means relatively with respect to the carcass and substantially perpendicular to the supply direction during skinning.
8. (Once Amended) Device according to claim 7, wherein only one of either roller comprises means for its driving, wherein [preferably] said roller drives the other roller.
11. (Once Amended) Device according to claim 10, wherein the rollers have been provided with corrugations in the longitudinal direction[, preferably a planar toothing, wherein the toothing preferably is staggered and engages a little, though not completely, one into the other].
12. (Once Amended) Device according to claim 11, wherein one of the rollers, [preferably] a non-driven roller, comprises a middle portion which is provided with a corrugated surface all round, and has outsides having a diameter smaller than the middle portion.
15. (Once Amended) Device according to claim [14] 30, wherein the discharge device [means] comprises an ejection plate, perpendicular to the longitudinal axis of both rollers, wherein the first roller is attached to the ejection plate, and the ejection plate is provided with a hole for sliding over the second roller, wherein the ejection plate is provided with means for moving the ejection plate to a discharge position from an inactive position to the outside over and perpendicular to the axis of rotation of the second roller.

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22. (Once Amended) Device for processing poultry carcasses or parts thereof, comprising a conveyor [comprising] having supports for retaining the carcasses or parts thereof, [which] said conveyor is provided with means for leading the supports in a supply direction past processing installations, wherein the device [comprises] has a skinner for skinning the carcasses or parts thereof, [which] said skinner is provided with an arm perpendicular to the supply direction provided with skin gripping means for gripping the skin, said skinner is movable along the arm.

23. (Once Amended) Device for processing poultry carcasses or parts thereof, comprising a conveyor [comprising] having supports for retaining the carcasses or parts thereof, [which] said conveyor is provided with means for leading the supports past processing installations, wherein the device [comprises] has a skinner for skinning the carcasses or parts thereof, [which] said skinner [comprises] having skin gripping means and is provided with means for moving the skin gripping means in a plane of symmetry of the carcass, wherein the skin gripping means are rollers that are oriented perpendicular to the plane of symmetry of the carcass.

24. (Once Amended) Device for processing poultry carcasses or parts thereof, comprising a conveyor [comprising] having supports for retaining the carcasses or parts thereof, [which] said conveyor is provided with means for leading the supports past processing installations, wherein the device [comprises] has a skinner for skinning the carcasses or parts thereof, [which] said skinner [comprises] has skin gripping means and discharge means for ejecting the skin from the skin gripping means.

25. (Once Amended) Device for processing poultry carcasses or parts thereof, comprising a conveyor [comprising] having supports for retaining the carcasses or parts thereof, [which] said conveyor is provided with means for leading the supports past processing installations, wherein the device [comprises] has a skinner for skinning the carcasses or

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parts thereof, [which] said skinner [comprises] includes skin gripping means, [which] said skin gripping means have a skin gripping line that is perpendicular to the supply direction.

26. (Once Amended) Device for processing poultry carcasses or parts thereof, comprising a conveyor [comprising] having supports for retaining the carcasses or parts thereof, [which] said conveyor is provided with means for leading the supports past processing installations, wherein the device [comprises] has a skinner for skinning the carcasses or parts thereof, [which] said skinner [comprises] includes skin gripping means, [which] said skin gripping means [comprise] includes two clamping rollers rotatable in opposite directions, wherein the skinner [comprises] has means for moving the rollers along the carcass said [which] means are also a means for rotating at least one of the rollers.

27. (Once Amended) Skinner, for skinning the carcasses or parts thereof, [which] said skinner is provided with skin gripping means for gripping the skin and means for moving the skin gripping means relatively with respect to the carcass and substantially perpendicular to the supply direction during skinning.

**ANNOTATED VERSION OF MODIFIED SPECIFICATION TO SHOW
CHANGES MADE**

The following is a marked up version of the amended specification. Amend the specification by adding the language that is underlined (“___”) and by deleting the language that is enclosed within brackets (“[]”):

Page 9, line 27 through page 10, line 17:

The skinner 5 is provided with a frame x. The frame x can be moved along a rail 23 in a direction A and a direction opposite to it by means [of means] that are not shown. To the frame x a movable arm extending downward, has been attached, rotatable about shaft 11, [with on] the arm 10b being provided with a holder 8 to which skin gripping means 6 have been attached (in the figure at the hidden side: the skin gripping means have been shown in figures 2-4C). The holder 8 is upwardly and downwardly movable in the direction B by means of pneumatic cylinder 30, and piston rod 31. In the figure the holder 8 slides over slide bars 26.

The arm 10b is extended by arm 10a. Arm 10b and 10a form a lever with rotary shaft 11, substantially perpendicular to the supply direction A. To frame x a pneumatic cylinder 9a has also been attached with piston rod 9 which presses against arm 10a. The lever 10a, b and pneumatic cylinder 9 with piston rod 9 form means 7 for moving the skin gripping means 6 forward and backward, towards the carcass 4 and against the carcass 4. By maintaining a constant pressure in the pneumatic cylinder a constant pressing force can be maintained. This arrangement is preferred in connection with possible pollution. It is of course also possible to reverse the arrangement, that means selecting the point of rotation of the lever underneath the carcass, and arranging the skin gripping means on the upper arm. [In connection with possible pollution the arrangement mentioned first is to be preferred.]

Page 11, lines 3 through 16:

In figure 1 and 2 the holder 8 which during skinning can be moved in the direction B perpendicular to the supply direction A, is shown. As the supports 3 have been placed

straight up, this means that in this case the skin gripping means move up and down, perpendicular to the supply direction A and parallel to the plane of symmetry S of the carcass. The holder 8 is moved up and down by the pneumatic cylinder 30 and piston rod 31. The entire holder with the skin gripping means here slides over both slide rods 26 on either side of rack 15. The lower roller 12 is connected to a toothed wheel (in holder 8, not shown). During moving the holder 8 with skin gripping means 6 up and down, said toothed wheel runs over rack 15 and the toothed wheel and the rack 15 form a pinion rack assembly that drives roller 12 in rotation. As a result, the means for moving the skin gripping means up and down also ensures the rotation of roller 12.

Page 12, line 18 through line 30:

Figure 4A, 4B and 4c show a front and rear view and consecutive stages of the skinning of the method according to the invention. In the initial position the rollers are situated near the point of rotation 11 of figure 1. In the position of figure 2 it could be seen that the rollers 12 and 13 were pressed against the carcass, at the tip side of the carcass. To that end the gripping means were moved downward along the carcass to roughen the skin a little [already] and possibly loosening it from the carcass. During these movements, and even during the entire skinning procedure the supports on the conveyor run on regularly. A sensor detects when the holder has reached the lower side of the arm 10b. Relatively the skinner first approaches the supports and to that end moves for instance counter to the supply direction and, when the skin gripping means have reached the carcass, assumes the speed and direction of movement of the carcass.

Page 13, line 1-8:

After the sensor has detected that the skinner has reached the lower side of the arm 10b, the skin gripping means are moved towards the carcass by means [of means] for moving the skin gripping means 6 forward and backward and are pressed against the carcass 4: the pneumatic cylinder 9 is pressurised because of which the arm 10a moves into the supply direction and arm 10b moves counter to the supply direction. The skin gripping means grip

the skin at the lower side of the carcass, at the tip, while the skinner 5 as a whole moves along with the support 3.